

REMARKS

By this amendment, claims 1 and 22-25 are amended. The amendments are made to more clearly recite the claimed invention and do not add prohibited new matter and are fully supported by the specification. Reconsideration of the rejected claims in view of the following remarks is respectfully requested.

Foreign Priority under 35 U.S.C. § 119(a)-(d) or (f)

Further to the Office Action response dated May 27, 2008, Applicant notes that the Examiner has still not acknowledged Applicant's claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f) to Japanese Application No. 2002-357268, as well as receipt of the certified copy of the priority document, which were filed on December 9, 2003. Therefore, Applicant again respectfully requests acknowledgement of Applicant's claim of priority and receipt of the certified priority documents.

Rejection under 35 U.S.C. § 103(a)

The Office Action rejects claims 1-16 and 22-25 under 35 U.S.C. § 103(a) as being unpatentable over Aonuma (U.S. Patent No. 6,821,204, hereinafter "AONUMA") in view of "E3 2002: Zelda Game Cube-to-GBA Link Revealed" (hereinafter "E3 2002") and in further view of "The Legend of Zelda: Ocarina of Time" IGN Review (hereinafter "IGN Review"). Applicant notes that page 2 of the Office Action actually rejects claims 1, 6-12, and 22-23, but then discusses claims 1-16 and 22-25.

The Office Action also rejects claims 17-20 under 35 U.S.C. § 103(a) as being unpatentable over AONUMA in view of E3 2002 and in further view of Banjo2553

(Legend of Zelda: Ocarina of Time FAQ, hereinafter "OOT FAQ"). Applicant notes that page 6 of the Office Action actually rejects claims 17-18 and 20, but then discusses claims 17-20. Applicant respectfully traverses the rejection.

Initially, Applicant notes that the claims recite (using claim 1 as a non-limiting example):

- A video game apparatus that advances a game when multiple players move their player characters in a virtual space, comprising:

- multiple input devices that correspond to each of the multiple players and receives input instructions for each player character according to an operation of each player;

- a player character mover that moves each player character in the virtual space based on the input instruction;

- an object mover that moves an object, distinct from the player characters, in the virtual space;

- a display controller that causes only one display device, used by all of the multiple players, to display a part of the virtual space with reference to the object;

- a position judge that determines a positional relationship between each player character and the object and demarcates a zone centered around the object with a predetermined radius; and

- a game progress controller that changes at least one of a degree of advantage of a game progress and a degree of ease for each player character according to the determined positional relationship of each player character,

- the display controller causing the only one display device to continuously display the object and the center of the zone centered around the object at a center of a display screen and the part of the virtual space including the zone centered around the object with reference to the object.

In contrast, AONUMA is directed to a "game system that displays a 3-D game screen and a 2-D map screen for representing a 3-D game space" (AONUMA, Abstract). AONUMA teaches a plurality of objects in the 3D game space, including a plurality of player objects P, enemy objects, and cursor objects (as shown in Figure 5 of AONUMA); the player objects are controlled by player input via game controllers. The Examiner

argues that these features correspond to the claimed multiple input devices, player character mover, and object mover (*see, e.g.*, page 3 of the outstanding Office Action).

As in the previous Office Action, the Examiner argues that AONUMA discloses that the “game uses 3D object 32b and stage data 32c to create a game space on a television screen and the LCD of the GameBoy Advanced that is only a small portion of the virtual world contained in the game (AONUMA, col. 8, lines 29-39); therefore meeting the limitation of a ‘display controller’ as described by the applicant” (*see, e.g.*, page 3 of the outstanding Office Action). In the previous Office Action response, Applicant pointed out that AONUMA does not disclose “a display controller that causes a display device to display a part of the virtual space *with reference to the object*...causing the display device to display the object *at a center* and the part of the virtual space *with reference to the object*” because it appears that the displayed game space in AONUMA is based on the position of the player characters (rather than “with reference to the object”) and the object is not centered on the screen, as recited in claim 1.

Without agreeing with or acquiescing to the rejection, Applicant has amended the claims to recite “an *object, distinct from the player characters*, in the virtual space,” thereby accentuating the fact that objects are distinct or different from player characters. For the aforementioned reasons and in view of this amendment, Applicant submits that AONUMA fails to disclose or render obvious the claimed display controller (as recited in claim 1 and similarly recited in independent claims 22-25), which the Office Action asserts is disclosed by AONUMA.

Furthermore, the GameBoy Advanced, as disclosed in AONUMA, does not disclose or render obvious the claimed “display controller *that causes only one display*

device, used by all of the multiple players, to display a part of the virtual space with reference to the object” (as recited in claim 1 and similarly recited in independent claims 22-25) because AONUMA discloses a system wherein the game is displayed on both a TV screen and the LCD of the GameBoy Advanced. For at least this other reason, Applicant submit that AONUMA fails to disclose or render obvious Applicant’s claimed display controller.

For the reasons provided above, Applicant submits that AONUMA fails to disclose or render obvious the elements of the claimed invention, which the Examiner relies upon in the art-based rejections. As the Examiner merely relies upon E3 2002, IGN Review, and OOT FAQ publications to teach the “lock-on” feature of the Ocarina of Time game, these publications do not cure the aforementioned deficiencies of AONUMA. Therefore, Applicant submits that AONUMA and the E3 2002, IGN Review, and OOT FAQ publications (either alone or in any proper combination) fail to disclose, suggest, or render obvious all of the elements of the claimed invention, and respectfully request withdrawal of the outstanding rejections.

Furthermore, the IGN REVIEW and OOT FAQ discuss a feature of Ocarina of Time that allows players to change daytime to night, allowing certain advantages to the player (*e.g.*, certain enemies are not seen during the day). Applicant submits that these publications do not disclose the claimed game progress controller, which “changes at least one of a degree of advantage of a game progress and a degree of ease for each player character *according to the determined positional relationship of each player character* (as recited in claim 1 and similarly recited in claims 22-25). Therefore, for yet another reason, Applicant submits that IGN Review and OOT FAQ fail to disclose the

elements of the claimed invention, which the Examiner asserts are disclosed by these publications.

For at least these reasons, Applicant submits that AONUMA and the E3 2002, IGN REVIEW, and OOT FAQ publications (either alone or in any proper combination) fail to disclose, suggest, or render obvious all of the elements of the claimed invention, and respectfully request withdrawal of the outstanding rejections.

Lastly, dependent claims 2-20 are submitted to recite further patentable subject matter of the invention and, therefore, are further submitted to be allowable over the prior art of record for the combination of features recited therein. As such, allowance of the dependent claims is deemed proper for at least the same reasons noted above for the independent claims, in addition to reasons related to their own recitations. Accordingly, Applicant respectfully requests reconsideration of the outstanding rejections and an indication of the allowability of all of the claims in the present application.

SUMMARY AND CONCLUSION

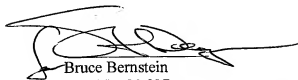
In view of the foregoing, it is submitted that the Examiner's rejections should be withdrawn. Entry and consideration of the present amendment, reconsideration of the outstanding Office Action, and allowance of the present application and all of the claims therein are respectfully requested and are believed to be appropriate.

Applicant notes that this amendment is being made to advance prosecution of the application to allowance, and should not be considered as surrendering equivalents of the territory between the claims prior to the present amendment and the amended claims. Further, no acquiescence as to the propriety of the Examiner's rejection is made by the present amendment. All other amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Commissioner determine that an extension of time is required in order to render this response timely and/or complete, a formal request for an extension of time, under 37 C.F.R. §1.136(a), is herewith made in an amount equal to the time period required to render this response timely and/or complete. The Commissioner is authorized to charge any required extension of time fee under 37 C.F.R. §1.17 to Deposit Account No. 19-0089.

Should the Examiner have any questions, please contact the undersigned at the telephone number provided below.

Respectfully submitted,
Yuuichi TSUCHIYA

A handwritten signature in black ink, appearing to read 'Bruce Bernstein', with a long horizontal flourish extending to the right.

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